The Chhattisgarh Vidhan Mandal Sadasya Nirarhata Nivaran (Sanshodhan) Adhiniyam, 2006

Act 30 of 2006

Keyword(s):
Compensatory Allowances, Prevention of Disqualification

रायपुर, दिनांक 5 दिसम्बर 2006

क्रमांक 13877/21-अ/प्रारूपण/06.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ विधान मंडल सदस्य निरर्हता निवारण (संशोधन) अधिनियम, 2006 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
विमला सिंह कपूर, उप-सचिव.

CHHATTISGARH ACT
(No. 30 of 2006)

THE CHHATTISGARH VIDHAN MANDAL SADASYA NIRARHATA NIVARAN (SANSHODHAN) ADHINIYAM, 2006.

An Act further to amend the Chhattisgarh Vidhan Mandal Sadasya Nirarhata Nivaran Adhiniyam, 1967 (No. 16 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Fifty-Seventh Year of the Republic of India as follows:-

Short title and Commencement

1. (1) This Act may be called the Chhattisgarh Vidhan Mandal Sadasya Nirarhata Nivaran (Sanshodhan) Adhiniyam, 2006.

(2) It shall be deemed to have come into force retrospectively with effect from 1st November, 2000.

Definition.

2. *In this Act, "Principal Act" means the Chhattisgarh Vidhan Mandal* Sadasya Nirarhata Nivaran Adhiniyam, 1967 (No.16 of 1967).

Amendment of Section 2.

3. After clause (b) of Section 2 of the *Principal Act*, the following clause shall be added, namely:-

"(c) "Compensatory Allowance" means any sum of money payable to the holder of an office by way of travelling allowance, daily allowance, sitting fee, conveyance allowance, house rent allowance, communication allowance or any other allowance for the purpose of enabling him to recoup any expenditure incurred by him in performing the functions of that office."

[illegible] of

4. For Section 3 of the Principal Act, the following Sections shall be substituted, namely,

"3. **Certain offices of profit not to disqualify**

It is hereby declared that none of the offices specified in the Schedule, in so far as it is an office of profit under the Government, shall disqualify or shall be deemed ever to have disqualified the holder thereof for being chosen as, or for being, a member of the Chhattisgarh Legislative Assembly.

3-A. Prevention of disqualification of certain offices — Subject to the provisions of Section 3 no person holding the office of Chairman and Vice Chairman or President and Vice President or Director or Member of any committee shall be disqualified at any time for being chosen as, or for being, a Member of the Chhattisgarh Legislative Assembly by reason only of the fact that he holds such office:

Provided that the holder of any such office is not in receipt of any remuneration other than compensatory allowance."

Amendment of Schedule.

5. In the Schedule to the Principal Act:-

(i) in item 8, for the words, figures, and bracket "Code of Criminal Procedure, 1898 (V of 1898)" the words, figures and bracket "Code of Criminal Procedure 1973 (No. 2 of 1974)" shall be substituted.

(ii) For items 18 to 22, the following items shall be substituted, namely:-

"18. the office held by Chief Minister or Minister or Minister of State or Deputy Minister in ex-officio capacity.

19. the office of Chairman and Vice Chairman or President and Vice President or Director and Managing Director or Member Secretary or Secretary or Member of the following statutory body or committee: -

(1)	State Coordination Committee constituted under the Persons with Disabilities (Equal opportunities, protection of rights and full participation) Act, 1995.
(2)	Rajya Shrot (Nishaktjan) Sanstham.
(3)	State Advisory Board constituted under the Juvenile Justice (Care and Protection of Children) Act, 2000.
(4)	State Level Vigilance and Monitoring Committee constituted for Rural Development Programmes.
(5)	Chhattisgarh State Rural Employment Guarantee Council.
(6)	Chhattisgarh Gramin Sadak Vikas Abhikaran.
(7)	Chhattisgarh Gramin Garibi Unmulan Society.
(8)	Chhattisgarh Rajya Hindi Granth Academy.
(9)	Shaskiya Kirodimal Polytecnic Society, Raigarh.
(10)	Karykari Samiti Chhattisgarh Vigyan Evam Prodhogiki Parishad.
(11)	Rajya Vyavasayik Prashikshan Parishad, Chhattisgarh.
(12)	Rajya Shikshukta Parishad, Chhattisgarh.
(13)	Standing Committee constituted under the Chhattisgarh Lok Seva (Anusuchit Jatiyon Anusuchit Janjatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No.21 of 1994).

(14)	State level Vigilence and Monitoring Committee constituted under the Chhattisgarh Anusuchit Jati Avam Janjati (Atyachar Nivaran) Niyam, 1995.
(15)	Chhattisgarh Adim Jati Mantrana Parishad (Tribal Advisory Council).
(16)	Chhattisgarh Madhyamik Shiksha Mandal.
(17)	Chhattisgarh Rajya Van Aushidhi Board.
(18)	Chhattisgarh State Renewable Energy Development Agency (CREDA).
(19)	Chhattisgarh Mineral Development Corporation Ltd.
(20)	State Investment Promotion Board.
(21)	State Industry Advisory Board.
(22)	Bastar Evam Dakshin Kshetra Adiwasi Vikas Pradhikaran.
(23)	Sarguja Evam Uttar Kshetra Adiwasi Vikas Pradhikaran.
(24)	Anusuchit Jati Vikas Pradhikaran.
(25)	State Planning Board.
(26)	Chhattisgarh Infotech and Biotech Promotion Society(CHIPS).
(27)	Chhattisgarh State Warehousing Corporation.
(28)	Chhattisgarh Tourism Board.
(29)	Chhattisgarh Infrastructure Development Corporation Limited.
(30)	Chhattisgarh State Agriculture Marketing Board.
(31)	Chhattisgarh State Council of Bhartat Scout and Guide.
(32)	Project Advisory Board of Integrated Tribal Development Project.
(33)	Chhattisgarh State Industrial Development Corporation Limited.
(34)	Chhattisgarh Housing Board.
(35)	Chhattisgarh State Civil Supplies Corporation Limited.
(36)	Chhattisgarh Nishakt Jan Vitta Avam Vikas Nigam.
(37)	Chhattisgarh State Legal Service Authority.
(38)	Chhattisgarh Khadi Tatha Gramodyog Board.
(39)	Chhattisgarh Rajya Hathkargha Vikas Evam Vipnan Sahkari Sangh Maryadit.
(40)	Chhattisgarh Hastshilp Vikas Board.
(41)	Chhattisgarh Labour Welfare Board.
(42)	Chhattisgarh Shram Salahkar Parishad.
(43)	State Level Coordination Forum constituted under sub-section (4) of Section 166 of the Electricity Act, 2003.
(44)	Chhattisgarh Bio-Fuel Development Authority (CBDA).
(45)	Chhattisgarh Water Standing Committee.
(46)	State Flood Control Board.
(47)	Swashasi Samiti, Shaskiya Chikitsa Mahavidyalaya, Jagdalpur.
(48)	Swashasi Samiti, Shaskiya Dant Chikitsa Mahavidyalaya, Raipur.

(49)	Swashasi Samiti, Pandit Jawahar Lal Nehru Smriti Chikitsa Mahavidyalaya, Raipur.
(50)	Swashasi Samiti Ayurved Mahavidyalaya, Raipur.
(51)	Chhattisgarh Para-medical Council, Raipur.
(52)	Rajya Swasthya Mission.
(53)	Chhattisgarh Rajya AIDS Niyantran Society.
(54)	Kushtha Rog Niyantran Samiti.
(55)	Malaria Evam Filaria Niyantran Samiti.
(56)	Rashtriya Drishtiheenta Nivaran Samiti.
(57)	Kshaya Rog Niyantran Samiti.
(58)	Prajnan Shishu Swasthya Samiti.
(59)	Bahu Ayami Sanskritika Sansthan, Raipur.
(60)	Chhattisgarh Paryatan Salahkar Board.
(61)	Hotel Prabandhan Sansthan, Raipur.
(62)	Chhattisgarh Mahila Kosh.
(63)	State Social Welfare Board Chhattisgarh.
(64)	Chhattisgarh State Commission for Women.
(65)	Chhattisgarh Pathaya Pustak Nigam.
(66)	Chhattisgarh Madersa Board.
(67)	Chhattisgarh Rajya Sanskrit Board.
(68)	Chhattisgarh Rajya Saksharta Mission Pradhikaran.
(69)	Chhattisgarh Rajeev Gandhi Shiksha Mission.
(70)	Rajya Shahri Vikas Abhikaran.
(71)	Chhattisgarh Rajya Beej Evam Krishi Vikas Nigam Limited.
(72)	Chhattisgarh Rajya Beej Pramanikaran Sanstha.
(73)	Chhattisgarh State Beverages Corporation Limited.
(74)	Chhattisgarh Rajya Antyavasayi Sahakari Vitta Evam Vikas Nigam.
(75)	Chhattisgarh Rajya Wakfa Board.
(76)	Chhattisgarh Rajya Anusuchit Jan Jati Ayog.
(77)	Chhattisgarh Rajya Anusuchit Jati Ayog.
(78)	Chhattisgarh Rajya Pichhada Varga Ayog.
(79)	Chhattisgarh Rajya Alp-Sakhayak Ayog.
(80)	Chhattisgarh Rajya Yuva Ayog.
(81)	Chhattisgarh Rajya Gau Sewa Ayog.
(82)	Chhattisgarh Arogya Chikitsa Shikshan Evam Anusandhan Samiti, Raipur
(83)	Chhattisgarh Rajya Sahkari Matsya Mahasangh Maryadit.
(84)	Smt. Suryamukhi Devi Rajgammi Sampada Samiti (Nayas), Rajnandgaon.
(85)	Chhattisgarh Samvad.
(86)	Chhattisgarh Rajya Van Vikash Nigam.
(87)	Chhattisgarh State Minor Forest Produce (Trade and Development) Co-operative Federation Limited.
(88)	Chhattisgarh State Wild Life Board.
(89)	Chhattisgarh Jaiv Vividhta Board.
(90)	Jeevan Deep Samiti of Government Hospital."

Special provision as to validation.

6. (1) Notwithstanding any judgment or order of any court or tribunal or any order or opinion of any other authority, the offices mentioned in the Schedule as amended by this Act, shall not disqualify or shall be deemed never to have disqualified the holders thereof for being chosen as, or for being a member of the Chhattisgarh Legislative Assembly as if the Principal Act, as amended by this Act, had been in force at all material times.

(2) For the removal of doubts, it is hereby clarified that any petition or reference pending before any court or other authority on the date of commencement of this Act, shall be disposed of in accordance with the provisions of the Principal Act, as amended by this Act.

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित—2006.